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BEFORE THE ARIZONA CORPORATION COMMISSION
AZ CORP COMMISSION
DOCKET CONTROL

COMMISSIONERS

Arizona Corporation Commission

TOM FORESE – Chairman
BOB BURNS
DOUG LITTLE
ANDY TOBIN
BOYD W. DUNN

DOCKETED

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MAR 27 2017

DOCKETED BY
GB

In the matter of:

DOCKET NO. S-20986A-16-0340

JACOB WOHL, a single man,

MATTHEW JOHNSON, a single man,

WOHL CAPITAL INVESTMENT GROUP, LLC, a
California limited liability company,

NEX CAPITAL MANAGEMENT, LLC, a Delaware
limited liability company, and

MONTGOMERY ASSETS, INC., a Wyoming
corporation,

Respondents.

PROCEDURAL ORDER
(Grants Telephonic Appearance)

BY THE COMMISSION:

On September 27, 2016, the Securities Division (“Division”) of the Arizona Corporation Commission (“Commission”) filed its Temporary Order to Cease and Desist and Notice of Opportunity for Hearing (“Notice”) against Jacob Wohl, a single man, Matthew Johnson, a single man, Wohl Capital Investment Group, LLC, a California limited liability company, NeX Capital Management, LLC, a Delaware limited liability company, and Montgomery Assets, Inc., a Wyoming corporation (collectively “Respondents”), in which the Division alleged violations of A.R.S. §§ 44-1801, *et seq.*, the Arizona Securities Act (“Securities Act”), and A.R.S. §§ 44-3101, *et seq.*, the Arizona Investment Management Act (“IM Act”), in connection with the offer and sale of securities in the form of promissory notes, investment contracts and/or loan agreements.

On February 28, 2017, the Division filed its Memorandum and Proposed Order to Cease and Desist, Order for Restitution, and Order for Administrative Penalties.

1 On March 9, 2017, Respondent Wohl sent an email to the Division requesting a hearing.¹

2 Also on March 9, 2017, the Division filed its Request for Pre-Hearing Conference. The
3 Division asked that the pre-hearing conference be scheduled to determine whether Respondent Wohl's
4 request for a hearing should be granted or denied.

5 On March 14, 2017, by Procedural Order, a pre-hearing conference was scheduled to commence
6 on March 28, 2017.

7 On March 27, 2017, the Division filed an email exchange between the Division and Respondent
8 Wohl in which Respondent Wohl stated he "will appear at tomorrow's hearing via telephone."

9 In order to accommodate Respondent Wohl's request, the Hearing Division attempted to
10 contact him with the appropriate contact information to appear telephonically at tomorrow's hearing.

11 IT IS THEREFORE ORDERED that the **pre-hearing conference** shall remain scheduled for
12 **March 28, 2017, at 10:00 a.m.**, at the Commission's offices, 1200 West Washington Street, Hearing
13 Room No. 1, Phoenix, Arizona.

14 IT IS FURTHER ORDERED that Respondent Jacob Wohl is authorized to appear
15 telephonically for the March 28, 2017, pre-hearing conference.

16 IT IS FURTHER ORDERED that Jacob Wohl shall be available by telephone at the appropriate
17 time during the pre-hearing conference on March 28, 2017. Using a landline,² Mr. Wohl shall call 1
18 **(800) 689-9374, passcode 415962#**.

19 IT IS FURTHER ORDERED that all future requests for relief, of this or any other nature, shall
20 be filed in the form of a formal motion filed with Docket Control, and that any such request for relief
21 be timely filed in order to give all parties an opportunity to respond.

22 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113-Unauthorized
23 Communications) is in effect and shall remain in effect until the Commission's Decision in this matter
24 is final and non-appealable.

25 IT IS FURTHER ORDERED that all parties must comply with Arizona Supreme Court Rules
26 31, 38 and 39, and A.R.S. § 40-243 with respect to the practice of law and admission *pro hac vice*.

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28 ¹ The email was also filed in this docket on March 9, 2017.

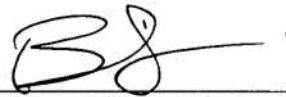
² Mobile telephones do not provide adequate audio quality to permit the verbatim transcription of witness testimony.

1 IT IS FURTHER ORDERED that withdrawal of representation must be made in compliance
2 with A.A.C. R14-3-104(E) and Rule 1.16 of the Rules of Professional Conduct (under Rule 42 of the
3 Rules of the Arizona Supreme Court). Representation before the Commission includes appearances at
4 all hearings and procedural conferences, as well as all Open Meetings for which the matter is scheduled
5 for discussion, unless counsel has previously been granted permission to withdraw by the
6 Administrative Law Judge or the Commission.

7 IT IS FURTHER ORDERED that each party or prospective party shall **refer to the Procedural**
8 **Order Regarding Consent to Email Service** issued in this matter on **March 14, 2017**, for additional
9 information regarding the process to consent to service by email. Information regarding Consent to
10 Email Service is also available on the Commission's website (www.azcc.gov) by clicking on "Email
11 Service Consent."

12 IT IS FURTHER ORDERED that the Presiding Administrative Law Judge may rescind, alter,
13 amend, or waive any portion of this Procedural Order either by subsequent Procedural Order or by
14 ruling at hearing.

15 DATED this 27 day of March, 2017.

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18 BRIAN D. SCHNEIDER
19 ADMINISTRATIVE LAW JUDGE
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1 On this 27th day of March, 2017, the foregoing document was filed with Docket Control as a
2 Procedural Order – Grants a Miscellaneous Motion/Request, and copies of the foregoing were mailed
3 on behalf of the Hearing Division to the following who have not consented to email service. On this
4 date or as soon as possible thereafter, the Commission's eDocket program will automatically email a
link to the foregoing to the following who have consented to email service.

Jacob Wohl
Matthew Johnson
8309 Kirkwood Dr.
Los Angeles, CA 90046

Matthew Neubert, Director
Securities Division
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, AZ 85007
SecDivServicebyEmail@azcc.gov
Consented to Service by Email

COASH & COASH, INC.
Court Reporting, Video and
Videoconferencing
1802 North 7th Street
Phoenix, AZ 85006
Not a party, mailed as a courtesy

By: 

Staci Antrim
Assistant to Brian D. Schneider